Schools still face uncertainty as Legislature ends regular session

Legislators started the 2016 Legislative Session in January facing huge budget problems and a court challenge on school finance.

Two and a half months later, legislators ended the regular session in the same situation.

That leaves schools facing uncertainty as they wind up the current school year and prepare for the next.

Republican legislative leaders did push through a school finance bill they said fixes the Kansas Supreme Court ruling that the state distributes funding in an unconstitutional and dis-equalizing method.

But opponents — mostly Democrats, a few Republicans and the plaintiffs in the lawsuit — said House Bill 2655 was nothing more than a shell game within a shell game and that the court will eventually reject it, forcing legislators to work on the issue once again as schools await some kind of resolution.

Legislators will return to Topeka on April 27 to start the wrap up session. By that time, they will have received an updated state revenue estimate many believe will provide further bad news on the budget front.

Since the huge income tax cuts implemented by Gov. Sam Brownback and his Republican allies, the state has consistently fallen short of revenue estimates and been forced to reduce budget targets, while cutting spending,

Educators from across the state packed a public hearing earlier this session on House Bill 2504, which would have required consolidation of districts. The measure did not advance.

School Board Member Spotlight: Verna Raines, Leavenworth USD 453

It is not uncommon to see many former educators become school board members as a way to continue their quest to provide the best education possible for students. Verna Raines, a member of the Leavenworth USD 453 board of education, explains how her role as an educator helped her as a board member.

Verna grew up and attended school near Galveston, Texas. She attended the University of Houston, where she earned a Bachelors of Science in Special Education. After teaching in Texas for two years, Verna moved to Kansas and began working in the Leavenworth district. During her time in Leavenworth, she earned her Master’s in Curriculum and Instruction and a Master’s in School Counseling from Emporia State. In 40 years as an educator, she has taught special education, regular education and served as a school counselor for 19 years until her retirement.

Verna says that it was during conversations about district issues that led to several community members encouraging her to run for the local board. A combination of both being a parent of children who attended the Leavenworth public schools and being a district employee helped prepare her for the challenges of serving as a board member. “These experiences provided a broad, realistic perspective of the district,” she says. “I had experienced the challenges and celebrations of students in the community. I wanted to continue to ‘do what’s best for children’ in Leavenworth.”

Verna has served on the Leavenworth board of education for the last four years. She finds the most rewarding aspect of working on the board is seeing the achievements and success of the Leavenworth students due to the dedication put forth by the teaching staff. “The best thing about our school district is the supportive and dedicated staff.” Verna states that the teaching staff is not only very focused on the students, they also recognize the importance of relationships with students and families.”

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Mom likes me best

Mary Heim’s sainthood is well established among those who know her. This is especially so for those who she didn’t just tolerate, but facilitated and managed with great skill; that would be her family, a high maintenance crew of misfits that includes husband Max (Dr. Heim the greater), daughter Diana, and sons David and John (Dr. Heim the lesser). For purposes of this blog, I will focus on her ability to manage family equity.

These were the days before PL94142, more commonly known as Special Education, and any kid that needed help was considered lazy or stupid. My siblings were in fact much smarter and hard-working than their middle sibling; they just needed additional help because they were born with learning disabilities. This was before LD was formally recognized, but my mom saw it and she pursued solutions like, well, like a mother.

Mom took my brother and sister to special tutors, read lessons to them every night, tried things that didn’t work, and tried things that did. Because of her efforts, both my brother and sister graduated from college and have led productive lives. Me? I didn’t have to work very hard in school and didn’t need a lot of help from mom, but when I did, she was there.

As we struggle with providing equity and adequacy in a Kansas school funding formula we would do well to get my mom involved. Equity doesn’t look the same in every district. Equity doesn’t forget districts with special needs, but neither does it forget districts without them.

Kansans recognize that districts have different needs. Kansans know that we have to think about how to provide the best education to all of our children. My mom instilled in her family the understanding that helping my brother and sister was different from helping me, but it was just what we all needed. My brother and sister never did a happy dance because “mom likes us better.”

Deadlines for negotiations, non-renewal

One important deadline just passed and several others are around the corner for educators.

The last day for a school district to notify a teacher of non-renewal of his or her contract is Friday, May 20.

And March 31 was the deadline for required notices on items to be negotiated between school boards and teachers. July 31 is the statutory declaration of impasse date.

In 2015, the Legislature revised the Professional Negotiations Act so parties must negotiate salary, hours and amounts of work. Each side can select up to three additional terms and all other conditions of professional service are permissive topics for negotiation if both parties agree to discuss them.

Under the former law, there were more than 30 items that could be negotiated each year if raised by either party.

The current law also requires that those selected to represent the local board and the professional employees’ organization must complete training every year on conducting negotiations.

In this regard, KASB Legal Staff offers to all KASB members a full range of training services, from negotiation preparation to helping write the final agreement. A more detailed look at services provided by KASB is available at www.kasb.org and choose Legal Services/Negotiations Services.
During the session break, good time to play show and tell with legislators

With the regular Legislative Session over, now is a good time for education advocates to talk with their state representatives and state senators about their schools before the wrap up session starts April 27.

Or better yet, show them.

School leaders — school board members, superintendents, principals, and others — are urged to invite legislators to visit their schools, so they can experience first-hand classrooms, teachers, students, and familiarize themselves with what you do, the challenges you face and the progress you are making.

So much of the debate at the Statehouse is over how much Kansas spends on public school education and not on what Kansas gets in return for that payment.

Kansas gets a good bargain, ranking in the top 10 of states in multiple student achievement measurements, while ranking in the middle of the pack on per pupil spending.

But that's the 50,000-foot view. Legislators need to see what's happening closer to the ground. They need to know what schools do to help each student succeed, regardless of the student's background and circumstance.

It's no secret that a number of legislators have a dim view of the Legislature. But we are dependent on each other for funding and for results, so it is worth your while to reach out to your legislator and try to appreciate what they do and hopefully they will appreciate what you do.

We know this is a busy time for schools, but if it isn't possible to have your legislator drop by the remainder of the school year, please keep it in mind for next year.

Legislators will continue to work on school issues this year and will probably re-visit many of these issues next year too. If they know more about what is going on in today's schools, they may produce better legislation. ~Scott Rothschild, srothschild@kasb.org

Changes in election law create new deadlines

In 2015, the Kansas Legislature passed HB 2104, which changed local election dates, including school board elections. Previously school board general elections were held in the spring of odd-numbered years; they are now to be held on the Tuesday following the first Monday in November of odd-numbered years. If necessary, primary elections will be held on the first Tuesday in August of odd-numbered years.

Term expiration dates will also change according to the new law. If a board member’s term began on July 1, 2013, they must file for reelection by June 1, 2017. If a board member was currently serving a term as of July 1, 2013, their term will expire on the second Monday in January 2018, the start of the new term.

For those elected on July 1, 2015, they must file for reelection by June 1, 2019, if they wish to seek another term. For those who were currently serving a term as of July 1, 2015, their term will expire on the second Monday in January 2020, the start of the new term.

Boards must pass a resolution stating that the terms of board members what were scheduled to expire anytime in 2017 will now expire on the second Monday in January 2018. There is no definitive date on when the resolutions should be passed, although it is advised that it is passed prior to the expiration of the board members' original terms (June 30, 2017). Boards can also pass it much sooner if they desire. ~Shaneice McNabney, smcnnabney@kasb.org
Staff Spotlight:
Sharon Abeyta

In addition to legal and leadership services, KASB offers our members insurance services. As one of the dedicated staff members helping to provide this service, Sharon Abeyta may be fairly new to the KASB staff, but she has already become an integral part of the organization.

Born into a military family - her father was in the Air Force - Sharon moved around a lot in her younger years. Her father eventually retired in Colorado, where Sharon spent 18 years and attended the Community College of Aurora, before moving to Kansas with her family in 2002.

Prior to joining KASB, Sharon spent 15 years working for Liberty Mutual/Wausau as a workers compensation adjuster. When the company moved the offices to Texas in 2008, Sharon opted out of moving to Texas and instead started working for an IT company based in VA. This company installed software under Federal Government contracts and handled the contracting paperwork. After that company was sold in 2011, Sharon went to work for another one of their departments until April 2012. She later went to work for Sedgwick Claims as a senior claims adjuster. She worked at that office for 15 months before coming to KASB.

Here at KASB, Sharon works as a senior claims adjuster, and in the role of claims adjuster she also serves the KASB worker’s compensation fund. “I manage WC claims of different levels of severity for our pool members.” She manages their medical treatment and their return to work, should they lose time. She also helps to negotiate settlements if the need arises. And, if the claim becomes litigated, she refers it to the attorneys at McAnany, Van Cleave & Phillips and works with them to resolve the issue.

Having never handled school district claims before, Sharon appreciates the patience everyone has exhibited while she learned the ins and outs of the school system, a system that, until recently, she had only seen “from the parent side.” When asked about her positive experiences here at KASB, Sharon stated that she has had nothing but positive experiences. “It’s always difficult to start a new position with a company but [the] KASB made me feel very welcome.” ~Shaneice McNabney, smcabney@kasb.org

When it’s time to say Thank You, KASB can help you out!

Convenient, affordable awards & certificates

Award #1: 8”x12” walnut plaque in the shape of the state of Kansas with a gold plate for engraving: $50 for each award plus $20 for the gold plate and $5 shipping/handling for each award ordered. The gold plate can be engraved with any personalized inscription, including a logo of your choice or the KASB logo. If sending your logo, send a high-resolution graphic file or camera-ready copy.

Award #2: 10”x12” walnut plaque with a mounted parchment certificate filled in by KASB and covered by transparent lucite: $40 for each award plus $5 shipping and handling for each award ordered. Various formats and fonts are available.

Award #3: 8 ½”x11” parchment certificate filled in by KASB: $20 for each certificate plus $2 shipping and handling for each certificate ordered.

Award #4: 8 ½”x11” parchment certificate left blank to be filled in by you: $10 for each certificate plus $2 shipping and handling for each certificate ordered.

Any orders placed by May 16 guaranteed delivery by end of the school year.

Contact KASB’s Sheryl Fincham at 800-432-2471 or see kasb.org/awards for details and order form.

www.kasb.org/negotiations

Negotiations Workshop – 3-hour training
- April 12, 2016 | Hays
  9 a.m.-Noon
- April 14, 2016 | Topeka KASB
  9 a.m.-Noon

Register at kasb.org
785-273-3600
800-432-2471

Trainings covered by the KASB Season Pass!

For questions, please contact:
David Shriver
dshriver@kasb.org or
John Rasmussen
jrasmussen@kasb.org

A law passed last year requires training for all members of local negotiation teams. Over 400 Negotiations Team Members have received certificates of completion form KASB so far!

Training Options Available

Onsite Training scheduled at your convenience and customized to meet requirements of the new law and your local needs.

Training is also offered live, interactive webinar (dates and times scheduled by local teams with KASB staff attorney John Rasmussen.

=Shaneice McNabney, smcabney@kasb.org
KASB recently accessed and analysed data compiled from official state and federal data sources by the Kansas Policy Institute and presented at www.kspanov.gov.org. The site describes itself as follows:

KansasOpenGov gives Kansans a clear look at how their state and local tax dollars are spent… Information is all obtained directly from official government sources... KansasOpenGov is regularly updated with new information and currently contains a wide range of spending, taxation and employment information for the State of Kansas, counties, cities and school districts. KansasOpenGov is a free service provided by Kansas Policy Institute.

KASB reviewed the data to see what it might show. KASB also took the data that KPI compiled and put it in an online tool that will allow districts to examine the data in more detail and see it by district and year.

The following are some highlights of trends identified in the data.

Cash Carryover Reserves
Carryover cash reserves increased 61.8 percent from 2005 to 2015. This is a fact heard often these days. However, when you look at the reserves by fund, you get a more complete story:
- Special Reserve: 154.40 percent
- Contingency: 152.00 percent
- No Fund Warrant: 111.00 percent
- Extraordinary School Programs: 94.50 percent
- Food Service: 73.40 percent
- Bonds and Interest: 71.40 percent
- Gifts and Grants: 67.30 percent
- Textbook: 59.30 percent
- Special Education: 45.70 percent
- Capital: 28.20 percent
- Parents as Teachers: 27.40 percent
- Bonds and Interest: 2: 4.80 percent
- Special Liability: 1.20 percent
- Driver Training: 0.20 percent
- Special Assessment: -1.10 percent
- Professional Development: -5.70 percent
- Federal: -11.60 percent
- School Retirement: -13.00 percent
- Supplemental General: -14.20 percent
- Adult Education: -31.80 percent
- Summer School: -55.80 percent
- General: -70.00 percent
- Tuition Reimbursement: -91.00 percent
- Area Vocational: -100 percent

In addition, there are several funds in existence now that had no reserves in 2005:
- At-Risk Four-year-olds
- At-Risk K-12
- Bilingual
- Virtual
- Declining Enrollment
- Cost of Living
- Vocational Education
- Ancillary
- Activities

Looking at cash reserves by major categories, we see that from 2005 to 2015, Federal reserves decreased by 11.6 percent, while the following reserves increased:
- Capital: 28.2 percent
- Debt: 67.8 percent
- All Other: 82.2 percent
- Total: 61.8 percent

All of this suggests:
- There are only two funds on the lists above where districts can increase spending (based on local voter approval): Capital and Bond and Interest. These two areas show some of the highest increase in reserves, which makes sense if you assume that the reserves would be a percent of the overall budgeted amounts in these areas.
- The education funding structure has become more complex since 2005.
- Increases in the cash reserve in certain funds were accompanied by sometimes drastic decreases in the cash reserves in other funds.
- The increases in certain funds such as “Special Reserve” and “Contingency” were likely in response to changes to education policy in Kansas that created increased uncertainty about future funding. There were also some limitations on reserves that could be maintained that were removed during this time period that could have impacted this.
- The funds seeing increases along with the new funds suggest that the student population in Kansas is becoming more diverse and more challenging to education.

Per Pupil Funding and Spending
The site also provides info on the change in per pupil funding and spending. We often hear that state funding per pupil has increased significantly in recent years (60.3 percent from 2005-2015), but we don’t as often hear about other sources of funding. From 2005 to 2015:
- Overall funding per pupil has increased 35.2 percent
- Federal funding per pupil has increased 22.1 percent
- Local funding per pupil has increased 0.3 percent

This suggests the larger increase in state funding over the past decade has been partially to compensate for relatively low increases in local and federal funding.

In terms of spending per pupil, there has been a 35.4 percent increase in spending per pupil from 2005 to 2015. This breaks down as follows:
- Capital: 88.7 percent
- Debt Services: 64.0 percent
- Student Support: 39.1 percent
- Instruction: 33.8 percent
- Food Service: 30.1 percent
- Staff Support: 26.4 percent
- Transportation: 25.7 percent
- Administration: 20.7 percent
- Operations/Maintenance: 20.3 percent

The data shows the major increases in education spending are related to capital and debt services, followed by student support and instruction, then food service, staff support, and transportation. Administration and operations and maintenance showed the smallest increase over the past decade. These findings are contrary to the claims that administrative spending is increasing at a much higher rate than instructional spending.

More Info
To read more, visit kasbresearch.blogspot.com. To view an interactive online tool containing the data, visit https://public.tableau.com/views/KSOpenGov/Overview. If you have questions, please email Ted Carter at tcarter@kasb.org.
Work starts on ESSA

The U.S. Department of Education has started working on rules for the Every Student Succeeds Act, which is the recently approved version of the Elementary and Secondary Education Act.

A 24-member panel of educators and advocates with a wide range of expertise are tackling issues such as assessments and how federal dollars should be used.

Education Secretary John King Jr. said, “Regulations that come out of the process will define how we implement the law for years to come.”

In April, the committee will deliberate on various issues and consider draft regulatory language.

Tom Gentzel, executive director of the National School Boards Association, said the importance of local governance and flexibility should be a central consideration throughout the deliberations.

On Dec. 10, 2015, President Barack Obama signed into law the ESSA, amending the ESEA.

Among other things, the ESSA reauthorizes, for a four-year period, Title I programs, which are designed to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

Schools still face uncertainty

sweeping funds, raising the state sales tax and eating up fund balances.

Another lower revenue estimate could lead to school cuts, although authors of the current block grant funding system say they will try to protect education funding.

As the wrap up session approaches, here is a summary of the status of major education bills at the conclusion of the regular session. For a more detailed report, please go to KASB’s Advocacy Update at www.kasb.org/advocacyupdate.

• SB 367, which has been sent to the governor, overhauls the juvenile justice system. It would increase training and reporting requirements for schools.

• There are several bills in the House-Senate Education Conference Committee where conferees have reached a tentative agreement. These include SB 323, which would require school personnel to undergo suicide prevention training; HB 2534, establishing rules governing emergency safety intervention; and SB 356, setting up a state school bond review process.

Other key measures and their status include:

• SB 469, which would require elections every three years to certify a bargaining association. The measure has been approved by the Senate and referred to the House Appropriations Committee.

• Substitute for Substitute HB 2292, which would have repealed Common Core, was defeated in the House.

• HB 2457, which would expand tax credits for private school education, has been approved by House Education Committee and is on the House Calendar for possible action.

• HB 2729, which would require school districts to procure information technology and food through the Kansas Department of Administration bidding services, was re-referred by the House back to House Education.

KASB is following many other measures and urges school advocates to stay up to date on developments, since bills can move swiftly and with little notice during the final days of the wrap up session. KASB sends out daily News Briefs and provides updates on Twitter (@ KASBTopeka) and Facebook (KASB. Topeka) on happenings in the Statehouse. ~Scott Rothschild, srothschild@kasb.org
Exploring New Forms of Education to Meet 21st Century Learning Needs

How can we create a true 21st century teaching and learning opportunity for all students in Kansas? The new vision and outcomes approved by the Kansas State Board of Education will serve as a springboard for this statewide discussion.

Who should attend?

All Kansas public education stakeholders—parents, business people, school board members, administrators, teachers, all support personnel, legislators, and community members—are encouraged to join the conversation.

Date: Saturday, May 7, 2016
Time: 10:00 a.m. – 4:00 p.m
Location: Emporia State University Memorial Union
Cost: $20 (covers lunch and materials)
Registration will close Friday, April 22.

Sponsored by:
Emporia State University
- The Department of School Leadership/Middle and Secondary Teacher Education
- The Teachers College
- The Jones Institute for Educational Excellence

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- Kansas State Board of Education
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Register online at www.emporia.edu/jones or call 1-877-378-5433
April/May 2016

April
12-15  KASBO Conference
12   Negotiations Workshop - Hays
13   SchoolFinanceFormulaPlanStakeholdersMeeting - Topeka
14   Negotiations Workshop - Topeka
15   Wamego USD 320 Supt Search Application Deadline
16   KASB Board of Directors Meeting - Oxford
18   Human Resources Academy - Topeka
19-20  Kansas State Board of Education Meeting
23   KASB Insurance Trustees Meeting - Topeka
26   Hoxie USD 412 Supt Search Application Deadline
27   Kansas Legislative Session Resumes

May
17-18  Kansas State Board of Education Meeting

Human Resources Academy
Mon., Apr. 18, 2016
KASB Office, Topeka
8:30 a.m. Registration
9 a.m.-3 p.m. Workshop

We've added a second Human Resources Academy to our schedule!
All these great topics - plus time to network with colleagues and get the answers you need for the questions you have!

Register online at KASB.org or call 785.273.3600

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